

Seth Thomas <sjthomastx@gmail.com>

Fwd: [PORTFOLIO INSIDER] *** YOUR EXCLUSIVE OFFER ***

1 message

Lyle Stotts <lyle@portfolioinsider.com> To: sjthomastx@gmail.com

Wed, Aug 25, 2021 at 2:58 PM



YOUR EXCLUSIVE OFFER!!!

Hello,

We hope that you are doing well!

Current cost of membership: \$10,000.00 ANNUALLY

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LIFETIME MEMBER with the promise that if satisfied you will pay the remaining \$2,995.00 (\$4,995.00 in total) to lock in your lifetime membership within 45 days.

Should you not find our service useful within the 6 months you come on board you are entitled to receive every cent back for any reason.

***LIFETIME MEMBERSHIPS INCUR NO ANNUAL FEES. Meaning no payments EVER AGAIN after your initial payment in full of \$4,995.00 is resolved.



9465 Wilshire Boulevard Office # 300 Beverly Hills, CA 90212

(323) 483-4014 support@portfolioinsider.com

INVOICE TO

Seth Thomas sithomastx@gmail.com

INVOICE NO: 00746--02534 INSTANT ACCESS DATE: 08-25-2021

6 Month Money Back Guarantee. One Time Payment - Lifetime Access.

Item Delivery Description	Price	Quantity	Total
Benefit from over 200 institutional grade financial	\$9,995.00	1	\$9,995.00

Access to follow billionaires and portfolios including quarterly holdings of institutions.

Market commentary by MIT Phd's team "Daily Digest".

Proprietary rank for stocks, mutual funds & ETF's including access to closed ended mutual funds.

Enhance performance with the most powerful earnings estimate analytics system available.

INVOICE EXPIRES ON 8/25/2021 AT END OF BUSINESS DAY -\$7,995.00

GRAND TOTAL \$2,000.00

Thanks for becoming a valued customer at PortfolioInsider.com.

If you are not entirely satisfied with your purchase, we're here to help you with world-class support. You are entitled to cancel your order within 6 months. To exercise your right of refund, you must inform us of your decision via email at refunds@portfolioinsider.com

We will reimburse you no later than 14 days from the day of which we receive the notification. Refunds are issued to the same form of payment that was used for the order with no additional fees.

For all additional needs, please contact our support team via email or phone using the contact information below.

Email: support@portfolioinsider.com

Phone: (323) 483-4014

In addition to the contact information above, our mailing address is 9465 Wilshire Boulevard Office #300 Beverly Hills, CA 90212. If you have any further questions or there is any other information you like to request, please don't hesitate to contact us using any of the information provided above. We remain committed to providing excellent customer service and a positive experience for all customers.

FANTASTIC NEWS!!! THE NASDAQ JUST GAVE US A HUGE SHOUT-OUT IN TIMES SQUARE!!!



CLICK HERE TO SEE OUR TIMES SQUARE TAKEOVER

New and improved features and benefits

- 1. **Dark Flow Activity Monitor** Clients are seeing 20% to 50% gains DAILY using this new tool. The lowest gain we've seen in one day using the Dark Flow Activity Monitor has been 11.33% in 25 minutes with very minimal time spent on the platform.
- 2. **Technical Analysis Suite** This is a \$33 million dollar tool that was added less than 2 months ago. This suite has many powerful tools! Pretty much any tool that you could think of, from basics such as RSI and MACD, to other much more technical oscillators.
- 3. VIP LIVE TRADING SESSIONS We have officially opened up enrollment for our VIP LIVE TRADING SESSIONS that will be conducted 3 times a day. As a prime VIP member, you'd be able to utilize these trading sessions in real-time ran by our Lead Senior Analyst. We normally charge \$750 for 1 on 1 session with our expert, but these will be free of charge since you will become a prime VIP member. There will be a 3-hour live trading session conducted every day that the market is open. In addition to this, we have started educational classes 3 times a day ranging from novice to expert. The classes will run Monday through Friday. The classes will be available every single week for at least the next 10+ years. We will be adding more classes to the daily schedule of 3 as we grow as a company. We are looking to grow our masterclass schedule to 8-10 classes a day in the near future.
- 4. Exclusive VIP treatment: As a previous client of ours you will be brought on board as a VIP trader/investor of the Vice President and President of Client Services. You will

- 5. Weekly Options Picks Via Email: Our Lead Senior Analyst and his team of 10 top analysts conduct 50 hours of research per week to provide you with a shorter-term options play every Monday and a longer-term options play every Wednesday. These options plays have been showing our clients an average return of 47%. Just two weeks ago our Lead Senior Analyst and his team guided clients to a 709% gain in just two weeks. We also did a play on CVS this past Monday that guided our clients to a 43% gain in 24 hours.
- 6. **Willable membership:** (1 time only) To anyone of your choosing. Despite any increases in price, your LIFETIME membership can be transferred to a child, grandchild, spouse, etc. of your choosing.
- I encourage you to take a look via this link: https://www.youtube.com/watch?
 v=ae1pHUCc55A at what THE NASDAQ has said about us in TIME SQUARE!!!

If you have any further questions about this EXCLUSIVE offer, please give me a call on my direct line or email back to me directly: (323) 904-7257

Best regards,

Lyle Stotts
President of Client Services
Phone (Direct): (323) 904-7257
Lyle@portfolioinsider.com

*Past performance is no guarantee of future results. Inherent in any investment is the potential for loss.

This material is being provided for informational purposes only and nothing herein constitutes investment, legal, accounting or tax advice, or a recommendation to buy, sell or hold a security. No recommendation or advice is being given as to whether any investment is suitable for a particular investor. It should not be assumed that any investments in securities, companies, sectors or markets identified and described were or will be profitable. All information is current as of the date of herein and is subject to change without notice. Any views or opinions expressed may not reflect those of the firm as a whole. Portfolio Insider is not a licensed securities dealer, broker or US investment adviser or investment bank.

Case 3:20-cv-02910-L Document 313-3 Filed 09/16/21 Page 5 of 29 PageID 5908 The Portfolio Insider #1 Rank Performance covers a period beginning on January 1, 1988 through May

4, 2020. These returns are from hypothetical portfolios consisting of stocks with Portfolio Insider Rank # 1 that were rebalanced monthly (see additional details regarding rebalancing below) with zero transaction costs. These are not the returns of actual portfolios of stocks. Portfolio Insider Rank #1 stock-rating system returns are computed monthly based on the beginning of the month and end of the month Portfolio Insider Rank #1 stock prices plus any dividends received during that particular month. A simple, equally-weighted average return of all Portfolio Insider Rank #1 stocks is calculated to determine the monthly return. The monthly returns are then compounded to arrive at the annual return. Only Portfolio Insider Rank #1 stocks included in Portfolio Insider hypothetical portfolios at the beginning of each month are included in the return calculations. Portfolio Insider Rank #1 stocks for which no month-end price was available, pricing information was not collected, or for certain other reasons have been excluded from these return calculations. The S&P 500 is an unmanaged index.

Visit Portfoliolnsider.com for information about the performance numbers displayed above.

You received this email from Portfolio Insider. If you would like to unsubscribe, click here.

TEXAS EXHIBIT #4



2:09 🚥 🖁 🗟 👪



Welcome to Portfolio Insider, where we unlock the world's most valuable financial data. Download your free report here: bit.ly/3zePWIC Txt stop 2 stop

Aug 20, 3:25 PM

Portfolio Insider: Thank you for your demo request. We will call you shortly. Text STOP to stop

Aug 20, 3:26 PM

Join our live trading session at 8amPT/11amET every morning to see the data that only the billionaires and elite traders see: bit.ly/DarkWatch txt stop 2 stop

Aug 20, 7:20 PM

Find out why Nasdaq declared Portfolio Insider the fastest growing fintech company in America, join our





morning to see the data that only the billionaires and elite traders see: bit.ly/DarkWatch txt stop 2 stop

Aug 20, 7:20 PM

Find out why Nasdaq declared Portfolio Insider the fastest growing fintech company in America, join our live trading session! bit.ly/ DarkWatch txt stop 2 stop

Aug 21, 3:20 PM

Our dark flow monitors caught GOEV before it soared over 26% today! We have over a dozen stock picks for YOU before the market opens tomorrow! Get the data that ONLY the billionaires, hedge funds & elite traders get to see! Call 323-992-6181 ASAP! Txt stop 2 stop



Mon, 7:11 PM

Exhibit L

DECLARATION OF SEAN BORDEN

- I, Sean Borden, hereby declare and state the following:
- 1. I am over eighteen years of age and competent to testify to the matters included in this declaration. I am making this declaration voluntarily and based upon my personal knowledge.
- 2. I hereby authorize the Commodity Futures Trading Commission and the States, and any of their representatives to use this declaration in any proceeding pertaining to the matters described herein.

I.

EDUCATION AND EXPERIENCE

- 3. I am a sworn peace officer, investigator with the California Department of Financial Protection and Innovation, formerly known as the Department of Business Oversight ("State of California"). My job duties include posing as a potential investor to understand individuals and companies' business practices, interviewing witnesses and subjects, gathering and reviewing documents, and investigating and locating individuals and companies. I have been with the State of California for over seven years.
- 4. Prior to joining the State of California, I worked for the Kern County District Attorneys' Office as an Investigative Assistant. My primary job duties at the Kern County District Attorneys' Office included interviewing and locating victims and witnesses, investigating potential violations of the law, investigating public assistance fraud, and handling process service.

5. I attended a peace officer academy at Golden West College in Huntington Beach, California and obtained a California Peace Officers' Standards and Training ("P.O.S.T") certification in December of 2014.

II.

UNDERCOVER CONTACT

- 6. On Tuesday, August 24, 2021, I called the number listed on Portfolio Insider's "Contact Us" webpage, listed as (323) 483-4014.
- 7. A Portfolio Insider representative answered the phone. I used a fictitious identity and informed them I was interested in finding out about their services. The representative transferred me to another representative who identified himself as Lyle.
- 8. Lyle asked about my background and investment experience. I said I was a stock market investor and used TD Ameritrade. Lyle informed me that Portfolio Insider provides a similar service to Stansbury, but Stansbury's fee is much more expensive. Lyle connected me to another representative who identified himself as Kyle Douglas (Kyle).
- 9. Kyle asked if he could show me a live demonstration of Portfolio Insider's trading data platform. Kyle sent an invite with a link to my undercover email account. I clicked on the link, and he began a presentation of Portfolio Insider's trading data platform.

Trade of the Day

10. Kyle asked me about my investment experience. I told him I owned some stocks. He asked if I did any options trading. I replied that I did not have much experience with options. He informed me I could make a lot more money in options than I could in stock trading using their platform.

11. He provided me with an example. He showed me Portfolio Insider's "Trade of the Day," which was Airbnb. Kyle stated that if I had invested in Airbnb that day in stock trading, I would have made about 9% profit, compared to over 500% profit if I invested in Airbnb options that day.

Dark Pools

- 12. Kyle then explained dark pools ("Dark Pools") to me and showed me an Investopedia page on the topic located at https://www.investopedia.com/terms/d/dark-pool.asp. He explained that Dark Pools allow institutional investors to trade without exposure until after the trade has been executed and reported. Kyle stated that retail investors are only able to view about 1/3 of the stock market buying information but Portfolio Insider's service provides information about institutional buying from large trading companies and institutions.
- 13. Per Kyle, Portfolio Insider has data feeds to see the Dark Pool information immediately, whereas the rest of the retail market sees the trades after it moves.
- 14. Kyle stated that Portfolio Insider is partnered with Nasdaq as a first-tier partner, and has information about the NYSE, Nasdaq, and 59 other exchanges.
- 15. He touted that Portfolio Insider is one of the fastest growing fintech companies. He stated that they are one of four companies that offer this information and that they are the only company offering access to this data to retail investors.

Be the First to Know Wall Street Titan's Trades

16. Kyle informed me that Portfolio Insider provides trading and holding data for successful individuals such as Warren Buffett, Jeff Bezos, Bill Gates, as well as hedge fund managers Ken Griffin and Jim Simons.

17. Portfolio Insider's website states, "Be first to know what titans are doing. Make smarter decisions with Portfolio Insider. Be in control of your investment strategy by using the same tools as professional analysts and be first to know about the moves investing titans are making."

Top 16 Picks

- 18. Kyle touted Portfolio Insider's "Top 16" recommended company picks, which includes large, mid, and small cap businesses.
- 19. Per Kyle, members also have access to institutional trades and recommended holdings for 1 day-2 weeks, weekly, monthly and 6-12 months.
- 20. Kyle stated that they have some strong recommended long-term buys for periods of 6-12 months, and that it does not matter which one you pick, you'll win on all of them.
- 21. Kyle stated that Portfolio Insider wins 86% of the time or about 8 out of 10 of their picks.
- 22. Kyle told me the normal membership fee is \$10,000 per year. However, they were currently offering a limited time discount to become a member for only \$4,995 per year. He offered me a 6-month money back guarantee if I am not satisfied.
- 23. Kyle eagerly asked if I was ready to sign up. I informed him I was not ready to, and I'd get back to him.

III.

PORTFOLIO INSIDER WEBSITE

24. On or around August 24-September 13, 2021, I reviewed, captured, and preserved Portfolio Insider's website, located at https://portfolioinsider.com/.

- 25. Attached hereto as **Exhibit A** is a true and correct copy of Portfolio Insider's home page located at https://portfolioinsider.com/. It states, "Unlock the power of our world's most valuable financial data. Our mission is to democratize access to the world's most valuable financial data and bring transparency to capital markets"
- 26. The home page further states, "Be first to know what titans are doing." The landing page also has a screen shot of the dashboard with photos of "Trending Titans" including Warren Buffet, and recommended "Strong Long Buys."
- 27. Attached hereto as **Exhibit B** is a true and correct copy of Portfolio Insider's "Contact Us" webpage located at https://portfolioinsider.com/contact which lists its phone number as (323) 483-4014 and address as 9465 Wilshire Blvd., Beverly Hills, California 90212.
- 28. Attached hereto as **Exhibit C** is a true and correct copy of Portfolio Insider's "Special Reports" webpage located at https://reports.portfolioinsider.com/.
- 29. This webpage offers to sell investors a report on Portfolio Insider's #1 investment pick for \$1.00. Portfolio Insider claims to have an immediate, "strong buy alert for a game changing battery company you may have never heard of." It claims that the recommendations are based on "precisely tracked moves made by stock market leaders like Warren Buffet, Ray Dolio and other 2,00+ Wall Street titans."
- 30. The Special Report webpage touts Portfolio Insider's "proven track record of success," by providing two examples. "On July 2nd, we recommended NIO when the stock was at \$9.38. Members that had invested \$10,000 on the day of our alert are now sitting on \$66,801 a 567.38% gain! On Nov. 17th, we recommended MP when the stock was at \$14.39. We issued the alert two months ago, and our members are already up 134.40%".

- Attached hereto as **Exhibit D** is a true and correct copy of the check-out page to purchase the Report, located at https://checkout.portfolioinsider.com/checkout-page. It states, "YES, I want to receive this exclusive report from Portfolio Insider and learn about this little-known battery stock which is potentially a safe, lucrative opportunity. I also understand that if I'm looking for the next spectacular gain during the EV boom, this is the stock I simply can't afford to ignore."
- 32. Attached hereto as **Exhibit E** is a true and correct copy of a banner that appeared on my computer screen on the Special Report tab on Portfolio Insider's website, located at https://reports.portfolioinsider.com/. It offers to provide advice about how to invest in Starlink before it goes public, as well as other exclusive insights into the hottest IPOs and stock tips.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 13 day of September, 2021 at LOS ANGELES, California.

Sean Borden

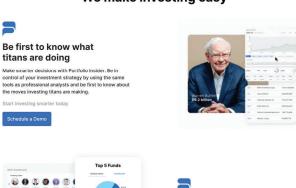
EXHIBIT A



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We make investing easy







Portfolio Insider brings consumers to the greatest market tool ever invented. Our unique core cloud reveals quarterly holdings of any individual or institution controlling investments of at least \$100 million. Follow billionaires, banks, trusts, and the world's smartest and most sophisticated decision-makers.





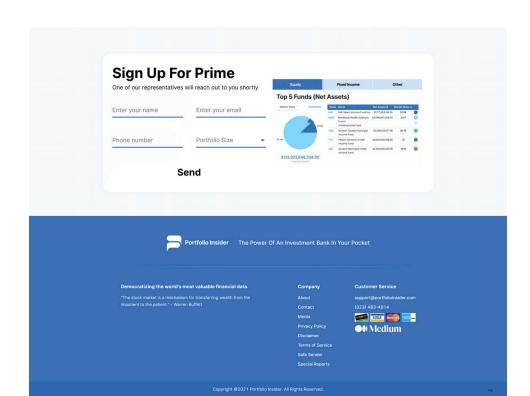


EXHIBIT B



Search any stock

Sign In

Sign Up



Contact Us

Please contact us with any questions or concerns regarding our products, your account and billing, our website, or any related topic.

Call Us Now

(323) 483-4014

Email Us

support@portfolioinsider.com

Address

9465 Wilshire Boulevard. Beverly Hills, CA 90212

Portfolio Insider The Power Of An Investment Bank In Your Pocket

Democratizing the world's most valuable financial data.

About

support@portfolioinsider.com

EXHIBIT C









BILLIONAIRE INVESTOR HAS MADE SIZEABLE INVESTMENT IN THIS STOCK Word to invest in the for variety "Stope or not intent."





PROVEN TRACK RECORD OF SUCCESS



GET THIS SPECIAL REPORT FOR JUST \$1









FAQ

_	Forfalio insider is a technology company with deep insights into institutions that manage \$1 million lunds - along with activist investors that take positions exceeding 2% ownership of an public company.

Front Discus O Park Discus

EXHIBIT D

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YES, I want to receive this exclusive report from Portfolio Insider and learn about this little-known battery stock which is potentially a safe, lucrative opportunity. I also understand that if I'm looking for the next spectacular gain during the EV boom, this is the stock I simply can't afford to ignore. And I am fully protected by your 100% money-back guarantee for 30 days.

Shipping Info First Name **Last Name** Phone Number **Email Address Shipping Address** City State/Region Postal Code My billing address is different than my shipping address **Payment Details** VISA (1) AMERICAN Card Number 1234 1234 1234 1234 **Expiration Date** Security Code MM / YY CVC

Refund policy Privacy policy Terms of service

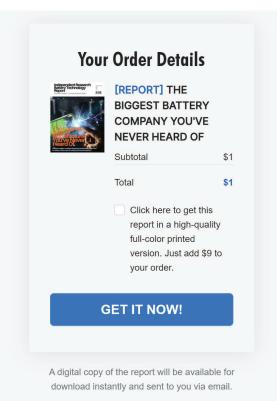
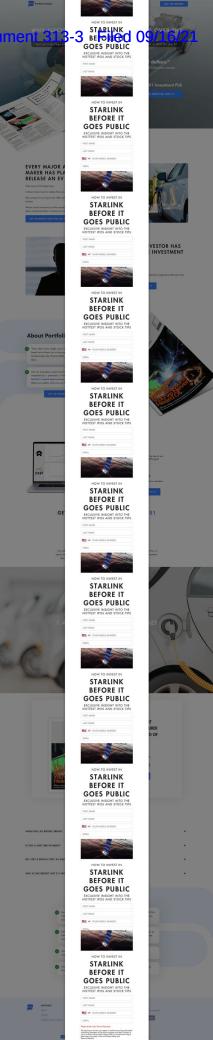


EXHIBIT E



Case 3:20-cv-02910-L Doc

Exhibit M

DECLARATION OF JONATHAN BLOCK PURSUANT TO 28 U.S.C. § 1746

I, Jonathan Block, hereby make the following declaration based upon my personal knowledge:

I. BACKGROUND

- 1. My name is Jonathan Block (hereinafter "Declarant"), Declarant is the Chief Investigator for the Colorado Division of Securities ("Division"). Declarant has worked in this capacity for the Division since November 2018. Declarant has been in the regulatory or compliance space in the financial services industry since 1989 upon joining NASD (now known as FINRA) as a Securities Examiner. After working approximately 18 years at NASD/FINRA, many of those as a "Special Investigator", the Declarant associated with TIAA-CREF in the Law and Compliance Department where the Declarant remained for approximately four years. The Declarant then joined the Colorado Division of Securities in December 2013 and acted as an Examiner and Criminal Investigator before taking on the Chief Investigator duties in November 2018. The Declarant is qualified as a Certified Fraud Examiner and has a Master's degree in Economic Crime Management.
- 2. Declarant's responsibilities as a Criminal Investigator included the investigation of fraud involving investment advisers, investment adviser representatives, broker-dealers, registered representatives, and anyone else who should have been licensed as such, in essence any type of fraud involving securities, and fraud that targets the elderly. While working for the Division, Declarant has routinely analyzed and reviewed financial documents, including, but not limited to, bank records and investment account documents.

- 3. Declarant's responsibilities as the Chief Investigator for the Colorado Department of Regulatory Agencies, Division of Securities include assessing complaints and referrals in order to determine if the matter should be opened and assigned to an investigator on my team. The Declarant supervises ten investigators and three forensic auditors (when fully staffed) who at any given time are investigating approximately 100 115 cases. The Declarant also reviews various reports and memoranda prepared by the investigators, including memoranda describing investigation findings.
- 4. On Wednesday, August 25, 2021, Declarant began an investigation into possible investment adviser fraud and unregistered investment adviser representative conduct being committed by Lucas Asher ("Asher") and Simon Batashvili ("Batashvili") through a company named Portfolio Insider. The Declarant also intended to determine whether Asher and Batashvili might be in violation of a Cease and Desist Order entered into in July 2019 in which Metals.com, a company operated by Asher and Batashvili, was the Respondent.

VOICE COMPARISON OF SAM SIMON AND SIMON BATASHVILI

5. On Wednesday, September 1, 2021, Declarant conducted an undercover call to Portfolio Insider. Declarant spoke with a person by the name of Lyle who identified himself as the President of Customer Service. Lyle spoke of transferring Declarant to an Analyst by the name of Kyle (last name maybe Garcia or something with a G). Kyle was unavailable, so Lyle transferred Declarant to someone Lyle described as Kyle's boss. That individual introduced himself as Sam Simon. Declarant has reason to believe that Sam Simon may be Batashvili. This belief is based on Declarant comparing the voice of Sam Simon to a known sample of Batashvili, specifically Batashvili's video-recorded deposition in this matter in which Batashvili identified himself under oath.

IV. DECLARATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 13, 2021, in Denver, Colorado.

Jonathan Block

Jon Block